

NOT FOR PUBLICATION

CLOSED

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CHARLES IBN MUHAMMAD, :

Plaintiff, :

v. :

NEWARK HOUSING AUTHORITY, :
KEITH KINARD, JANET ABRAHAM, :
WINIFRED THOMPSON, VERIZON, :
POSTMASTER GENERAL, JOHN DOE, :

Defendants.

Hon. Dennis M. Cavanaugh

ORDER

Civil Action No. 11-CV-3441 (DMC - MF)

CHARLES MUHAMMAD, :

Plaintiff, :

v. :

VERIZON, VERIZON
CORPORATION'S TECHNICAL,
LEGAL, MANAGERIAL, FINANCIAL,
ETC., :

Defendants.

Civil Action No. 12-CV-3090 (DMC - MF)

CHARLES MUHAMMAD, :

Plaintiff, :

v. :

Civil Action No. 12-CV-3092 (DMC - MF)

NEWARK HOUSING AUTHORITY, :
KEITH KINARD, HOUSING
AUTHORITY BOARD OF TRUSTEES, :
LEGAL ADVISORS, MANAGERS,
SECURITY, MAINTENANCE, :

Defendants.

CHARLES MUHAMMAD,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 12-CV-3093 (DMC - MF)
	:	
POSTMASTER GENERAL, U.S.	:	
POSTAL SERVICE,	:	
	:	
Defendants.	:	

DENNIS M. CAVANAUGH, U.S.D.J.

This matter comes before the Court upon several of Plaintiff's filings in the four above captioned matters. After considering the filings and based upon the following;

WHEREAS FED.R.CIV.P. 42 grants this Court the authority to consolidate actions involving a common question of law or fact for hearing or trial. Additionally, as a general rule, the manner in which the Court disposes of cases on its docket is within its discretion. See In re Fine Paper Antitrust Litig., 685 F.2d 810, 817 (3d Cir.1982);

WHEREAS Plaintiff's four complaints relate to an incident or multiple incidents occurring during a period of residence in Newark Public Housing, and reference a contract claim styled in a similarly arcane manner against Defendant Verizon;

WHEREAS Plaintiff's four actions involve common questions of law and fact, this Court hereby exercises its docket management authority to consolidate the four actions (Docket Nos. 11-cv-3441, 12-cv-3090, 12-cv-3092, 12-cv-3093);

WHEREAS "motions to proceed [*in forma pauperis*] must be assessed in a two-step process. 'First, the district court evaluates a litigant's financial status and determines whether (s)he is eligible to proceed *in forma pauperis* under § 1915(a). Second, the court assesses the

complaint under [§ 1915(e)(2)] to determine whether it is frivolous,"" Shneller v. Able Home Care, Inc., 389 F. App'x 90, 92 (3d Cir. 2010) (citing Roman v. Jeffes, 904 F.2d 192, 194 n.1 (3d Cir. 1990) (citation omitted));

WHEREAS this Court previously found that given proof of Plaintiff's financial status, he is eligible to proceed *in forma pauperis* (Docket No. 11-cv-3441, ECF No. 9);

WHEREAS 28 U.S.C. § 1915(e)(2)(B) states that the dismissal of an *in forma pauperis* proceeding is appropriate at any time upon this Court's finding that the complaint is frivolous or malicious or fails to state a claim upon which relief may be granted;

WHEREAS Plaintiff's contentions in each complaint, common in law and fact, fail to state a claim upon which relief may be granted, and as such, the remaining complaints in the consolidated action are dismissed;

WHEREAS this Court previously handled a motion for reconsideration (Docket No. 11-cv-3441, ECF No. 5) where Plaintiff made arguments in a similar vein to the one presently before the Court, filed in Docket No. 12-cv-3092 (ECF No. 3) this Court hereby adopts the same conclusion, denying the motion for reconsideration;

WHEREAS Plaintiff has filed multiple letters, motions for reconsideration and complaints based upon the same incident in these four actions;

IT IS HEREBY, on this 21st day of August, 2012, for the reasons expressed herein; **ORDERED** that the four matters are consolidated into the earliest filed action at Docket No. 11-cv-3441;

ORDERED that applications to proceed *in forma pauperis* are **granted**;

ORDERED that the motion for reconsideration filed August 13, 2012 (Docket No. 12-

cv-3092, ECF No. 3) is **denied**; and,

ORDERED that the complaints are **dismissed with prejudice** against all Defendants and the consolidated case **closed**,

ORDERED that the Clerk's office **not file** any further submissions of Charles (Ibn) Muhammad pertaining to the closed consolidated action, but rather transmit the same to Chambers for review and instruction from the Court as to whether such submissions will be filed, maintained in Chambers, or returned to Muhammad.

s/ Dennis M. Cavanaugh
Dennis M. Cavanaugh, U.S.D.J.

Orig.: Clerk
cc: All Counsel of Record
File